

AMENDED IN SENATE APRIL 21, 2004

SENATE BILL

No. 1754

Introduced by Senators Battin and Denham

(Coauthors: Senators Aanestad and Johnson)

(Coauthors: Assembly Members Bates, Bogh, Cogdill, Daucher, Dutton, Garcia, Harman, Shirley Horton, La Malfa, Maze, Pacheco, and Spitzer)

February 20, 2004

An act to add Section 14682 to the Government Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1754, as amended, Battin. State property: use of real property: Department of General Services.

Existing law generally sets forth the duties and authority of the Department of Finance in overseeing the fiscal affairs of the state and the duties and authority of the Department of General Services in acquiring, assigning, and maintaining property on behalf of state agencies.

This bill would provide that final determination of the use of real property by state agencies shall be made by the Department of General Services with the concurrence of the Department of Finance. It would require the Department of General Services to provide for the utilization of existing state-owned, state-leased, or state-controlled real property *under the control or authority of the Department of General Services* before considering the leasing of additional real property on behalf of a state agency. It would also require that when tenant agencies located in existing state-owned real property vacate their premises, they continue to pay rent for the real property unless and until a new tenant

can be assigned or until the Department of General Services can negotiate a mutual termination of the lease, unless the department has generated the tenant's relinquishment.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14682 is added to the Government
2 Code, to read:

3 14682. (a) Final determination of the use of real property by
4 state agencies shall be made by the Department of General
5 Services with the concurrence of the Department of Finance.

6 (b) The Department of General Services shall provide for the
7 utilization of existing state-owned, state-leased, or
8 state-controlled real property *under the control or authority of the*
9 *Department of General Services* before considering the leasing of
10 additional real property on behalf of a state agency.

11 (c) When tenant agencies located in existing state-owned real
12 property vacate their premises, they shall continue paying rent for
13 the real property unless and until a new tenant can be assigned or
14 until the Department of General Services can negotiate a mutual
15 termination of the lease. If the department generates the tenant's
16 relinquishment, the tenant shall not be obligated to pay rent after
17 vacating the premises.

